



MARITIME SAFETY COMMITTEE
82nd session
Agenda item 3

MSC 82/3/2
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CONSIDERATION AND ADOPTION OF AMENDMENTS TO MANDATORY INSTRUMENTS

Radiocommunications

Submitted by the United States

SUMMARY

<i>Executive summary:</i>	The United States proposes, under the provisions of SOLAS article VIII(b)(i), the draft amendments to SOLAS chapter IV, set out in the annex, to recognize in SOLAS, mobile satellite providers for GMDSS other than Inmarsat. Additionally, the amendments include language to grant the Organization authority to effect oversight of these mobile satellite providers
<i>Action to be taken:</i>	Paragraph 6
<i>Related documents:</i>	Resolution A.888(21) and MSC.210(81)

Introduction

1 In accordance with Article VIII (b) (i) of SOLAS, the United States is pleased to submit at annex proposed draft Amendments to SOLAS chapter IV, Radiocommunications. The proposed draft amendments are hereby submitted to MSC 82 with a view to adoption.

2 As noted by the United States at MSC 81 in its intervention related to amendments to Resolution A.888(21), amendments to SOLAS chapter IV will be required to allow for the entry of new satellite systems providers into the Global Maritime Distress and Safety System (GMDSS). SOLAS chapter IV currently specifies Inmarsat as the only recognized maritime mobile satellite service provider. We believe it is in the best interests of the Organization to allow other mobile satellite service providers into the GMDSS and making their additional services available to the international community.

3 Also noted at MSC 81 by the Legal Affairs and External Relations Division of the Secretariat, oversight of satellite communications providers by the Organization may be permitted and it would serve to limit the Organization's liability if there are provisions included in SOLAS to address this instance.

4 Accordingly, the United States proposes the draft amendments to SOLAS chapter IV, set out in the annex, to recognize mobile satellite providers for GMDSS other than Inmarsat in SOLAS. Additionally, the amendments include language to give the Organization authority to effect oversight of these mobile satellite providers directly itself, or with the participation of Contracting Governments, and/or the participation of other entities it may designate.

5 This document is submitted on 8 June 2006, six months prior to *the conclusion* of MSC 82. However, recognizing the circumstances of the short time between the conclusion of MSC 81 wherein it was suggested that draft amendments to resolution A.888(21) would be deferred to MSC 82 and Contracting Governments should come to MSC 82 prepared to consider it further at that time; the need for amendments to Chapter IV to accomplish the foregoing goal of expanding the GMDSS to providers other than Inmarsat, the one year delay between MSC 82 and MSC 83, and the need to serve the international maritime community by having available additional satellite providers for the GMDSS as soon as possible, we felt it was imperative to have these draft amendments considered for adoption at the earliest possible time. We realize the normal submission deadline for draft amendments to be considered for adoption is six months prior to the beginning of the meeting. We ask the indulgence of the Secretariat and the Committee and to consider the unusual delay between MSCs and the added benefit of having additional mobile satellite services in the GMDSS. Should any Contracting Government object to the consideration of the draft amendments for adoption at MSC 82 because of the submission date not being in accordance with the previous norm, we would then ask that they be discussed at MSC 82, and considered with a view to adoption at MSC 83.

Action requested of the Committee

6 The Committee is invited to consider the amendments to SOLAS chapter IV, set out in the annex, for information with a view to adoption.

ANNEX

**PROPOSED AMENDMENTS TO THE
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974**

CHAPTER IV

RADIOCOMMUNICATIONS

PART A

GENERAL

Regulation 2 – Terms and definitions

- 1 Paragraph 1.6 of this regulation is revised to read:

“1.6 Recognized Mobile Satellite Service Provider (RMSSP) means a satellite telecommunications service provider that is recognized, in accordance with the procedures and standards of the Organization, to provide communications channels as a component of the GMDSS and/or to meet other requirements of this Convention.”
- 2 Paragraph 1.14 of this regulation is revised to read:

“1.14 *Sea area A3* means an area, excluding sea areas A1 and A2, within the coverage of one or more RMSSPs in which continuous alerting is available.”
- 3 Paragraph 1.16 of this regulation is revised to read:

“1.16 *Global maritime distress and safety system (GMDSS) identities* means maritime mobile services identity, the ship’s call sign, RMSSP-supplied identities and serial number identity which may be transmitted by the ship’s equipment and used to identify the ship.”

Regulation 4bis – Performance Standards for RMSSPs

- 4 The following new Regulation 4bis is added after existing Regulation 4:

“Regulation 4bis – Performance Standards for RMSSPs

The Organization shall establish performance standards for RMSSPs, and shall establish procedures to provide for the review of the performance of RMSSPs. The Organization may perform such review directly itself, or with the participation of Contracting Governments and/or the participation of other entities it may designate.”

PART B

UNDERTAKINGS BY CONTRACTING GOVERNMENTS

Regulation 5 - Provision of radiocommunication services

- 5 Paragraphs 1.1 and 1.2 are replaced by the following new paragraph 1.1 (and the subsequent paragraphs 1.3, 1.4, and 1.5 are renumbered 1.2, 1.3, and 1.4):

“1 a radiocommunication service utilizing satellites, including geostationary and/or non-geostationary satellites in the mobile-satellite service and/or the maritime mobile-satellite service;”

- 6 The following new paragraphs 3 is added after existing paragraph 2:

“3 Contracting Governments shall nominate to the Organization for possible recognition only RMSSP candidates that can meet the performance standards established by, or under the procedures of, the Organization.”

PART C

SHIP REQUIREMENTS

Regulation 7 – Radio equipment: General

- 7 The first sentence of paragraph 1.5 of this regulation is replaced by the following:

“5 a radio facility for reception of maritime safety information broadcast by one or more RMSSPs, if the ship is engaged on voyages in any area of coverage of such RMSSPs but in which an international NAVTEX service is not provided.”

- 8 Paragraph 1.6.1 of the regulation is replaced by the following:

“6.1 capable of transmitting a distress alert either through the polar orbiting satellite service operating in the 406 MHz band or, if the ship is engaged only on voyages within the coverage area of one or more RMSSPs, through the service of such an RMSSP;***,”

*** Subject to the availability of appropriate receiving and processing ground facilities.

Regulation 8 – Radio equipment: Sea area A1

- 9 Paragraphs 1.5 and 1.5.1 of the regulation are replaced by the following:

“5 through a satellite communications channel; this requirement may be fulfilled by:

“5.1 an RMSSP with coverage of the area normally navigated;***** or”

***** This requirement can be met by, *inter alia*, Inmarsat ship earth stations capable of two-way communications, such as Inmarsat-A, Inmarsat-B (resolution A.808(19)) or Inmarsat-C (resolution A.807(19)) ship earth stations. Unless otherwise specified, this footnote applies to all requirements for an Inmarsat ship earth station prescribed by this chapter.

Regulation 9 – Radio equipment: Sea areas A1 and A2

- 10 Paragraph 1.3.3 of this regulation is replaced by the following:
- “3.3 through a satellite communications channel; this requirement may be fulfilled by:”
- 11 Paragraph 3.2 of this regulation is replaced by the following:
- “2 a mobile (ship) earth station compatible with an RMSSP with coverage of the area normally navigated.”

Regulation 10 – Radio equipment: Sea areas A1, A2 and A3

- 12 Paragraphs 1.1, 1.1.1, and 1.1.4 of this regulation are replaced by the following:
- “1 a mobile (ship) earth station compatible with an RMSSP with coverage of the area normally navigated, and capable of:”
- “1.1 transmitting and receiving distress and safety communications using text;”
- “1.4 transmitting and receiving general radiocommunications, using either radiotelephony or text; and”
- 13 Paragraph 1.4.3 of this regulation is replaced by the following:
- “4.3 by an additional mobile (ship) earth station compatible with an RMSSP with coverage of the area normally navigated.”
- 14 Paragraphs 2.3.2, 2.3.2.1 and 2.3.2.2 of this regulation are replaced by the following paragraph 2.3.2:
- “3.2 through an RMSSP with coverage of the area normally navigated; and”

Regulation 12 – Watches

- 15 Paragraph 1.4 of this regulation is replaced by:
- “4 for satellite shore-to-ship distress alerts, if the ship, in accordance with the requirements of regulation 10.1.1, is fitted with a mobile (ship) earth station.”

Regulation 13 – Sources of energy

- 16 Paragraph 2 of this regulation is replaced by:
- “2 A reserve source or sources of energy shall be provided on every ship, to supply radio installations, for the purpose of conducting distress and safety radiocommunications, in the event of failure of the ship’s main and emergency sources of electrical power. The reserve source or sources of energy shall be capable of simultaneously operating the VHF radio installation required by regulation 7.1.1 and, as appropriate for the sea area or sea areas for which the ship is equipped, either the MF radio installation required by regulation 9.1.1, the MF/HF radio installation required by regulation 10.2.1 or 11.1, or the mobile (ship) earth station required by regulation 10.1.1 and any of the additional loads mentioned in paragraphs 4, 5 and 8 for a period of at least:”